

ORDINANCE NO. _____

1 **AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE**
2 **PROPERTY LOCATED AT 801 AND 803 RED RIVER STREET FROM**
3 **DOWNTOWN MIXED USE (DMU) DISTRICT TO CENTRAL BUSINESS**
4 **DISTRICT-CENTRAL URBAN REDEVELOPMENT DISTRICT-CONDITIONAL**
5 **OVERLAY (CBD-CURE-CO) COMBINING DISTRICT.**
6

7 **BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**
8

9 **PART 1.** The zoning map established by Section 25-2-191 of the City Code is amended to
10 change the base district from downtown mixed use (DMU) district to central business
11 district-central urban redevelopment district-conditional overlay (CBD-CURE-CO)
12 combining district on the property described in Zoning Case No. C14-2008-0006, on file at
13 the Neighborhood Planning and Zoning Department, as follows:
14

15 Lot 1, Block 92, Original City of Austin, Travis County, Texas, according to the
16 map or plat of the Original City of Austin filed in the General Land Office of the
17 State of Texas; and
18

19 A 0.1474 acre tract of land, more or less, out of Lot 2, Block 92, Original City of
20 Austin, Travis County, Texas, the 0.1474 tract of land being more particularly
21 described by metes and bounds in Exhibit "A" incorporated into this ordinance (the
22 "Property"),
23

24 locally known as 801 and 803 Red River Street, in the City of Austin, Travis County,
25 Texas, and generally identified in the map attached as Exhibit "B".
26

27 **PART 2.** The site development regulations for the Property within the boundaries of the
28 CURE combining district established by this ordinance are modified as follows:
29

- 30 A. An outdoor entertainment use is a permitted use of the Property.
31
32 B. Section 25-6-474 (*Parking Facilities for Persons with Disabilities*) of the City
33 Code is modified to allow three parking spaces as the required number of
34 spaces for the site.
35
36
37

1 C. Development of the Property is not subject to:

- 2
- 3 1) Section 25-6-591 (*Parking Provisions for Development in the Central*
4 *Business District (CBD) and a Downtown Mixed Use (CMU) Zoning*
5 *District*) of the City Code; and
- 6
- 7 2) Chapter 25-6, Appendix A (*Tables of Off-Street Parking and Loading*
8 *Requirements*) of the City Code.
- 9

10 **PART 3.** The Property within the boundaries of the conditional overlay combining district
11 established by this ordinance is subject to the following conditions:

12

13 A site plan or building permit for the Property may not be approved, released, or
14 issued, if the completed development or uses of the Property, considered cumulatively with
15 all existing or previously authorized development and uses, generate traffic that exceeds
16 2,000 trips per day.

17

18 Except as specifically restricted under this ordinance, the Property may be developed and
19 used in accordance with the regulations established for the central business district (CBD)
20 base district, and other applicable requirements of the City Code.

21

22 **PART 4.** This ordinance takes effect on _____, 2009.

23

24

25 **PASSED AND APPROVED**

26

27 §
28 §
29 _____, 2009 § _____

30 Will Wynn
31 Mayor

32

33

34 **APPROVED:** _____ **ATTEST:** _____

35 David Allan Smith Shirley A. Gentry
36 City Attorney City Clerk

C14-2008-0006

Office: 512-481-9602
Fax: 512-330-1621

Waterloo Surveyors Inc.

Thomas P. Dixon
R.P.L.S. 4324
J10042_2

EXHIBIT "A"

October 15, 2007

FIELD NOTES

FIELD NOTES FOR 0.1474 ACRE OF LAND, MORE OR LESS, BEING ALL OF LOT 2, BLOCK 92, ORIGINAL CITY OF AUSTIN, IN TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT OF THE ORIGINAL CITY FILED IN THE GENERAL LAND OFFICE OF THE STATE OF TEXAS, SAVE AND EXCEPT 2,447 SQUARE FEET OF LAND, MORE OR LESS, RECORDED IN VOLUME 12449, PAGE 815, OF THE REAL PROPERTY RECORDS, OF TRAVIS COUNTY, TEXAS; FOR WHICH A MORE PARTICULAR DESCRIPTION BY METES AND BOUNDS IS AS FOLLOWS:

BEGINNING at an iron rod found on the north R.O.W. of East 8th Street on the south line of Lot 2, Block 92, at the S.W. corner of that certain 2,447 square feet of land recorded in Volume 12449, Page 815, Real Property Records, Travis County, Texas, for the S.E. corner hereof;

THENCE N71°54'10"W along the north R.O.W. of East 8th Street for a distance of 21.36 feet to an iron rod set at the S.W. corner of Lot 2 for the S.W. corner hereof;

THENCE N18°54'01"E for a distance of 130.28 feet to an iron rod set at the N.W. corner of Lot 2 on the south line of a 20 feet wide alley for the N.W. corner hereof;

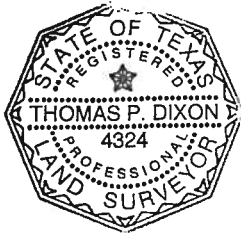
THENCE S70°24'58"E along the south line of said alley for a distance of 68.99 feet to an iron rod found at the N.E. corner of Lot 2 for the N.E. corner hereof;

THENCE S20°00'02"W along the east line of Lot 2 for a distance of 24.64 feet to an iron rod found at the most northerly corner of said 2,447 square feet tract for a corner hereof;

THENCE S43°11'02"W, crossing Lot 2 for a distance of 114.67 feet to the **POINT OF BEGINNING**, containing 0.1474 acre of land.

I, the undersigned do hereby certify that the field notes hereon were prepared from an actual on-the-ground survey under my direct supervision and that they are true and correct to the best of my knowledge.


Thomas P. Dixon R.P.L.S. 4324



P.O. Box 160179
Austin, Texas 78716-0176

EXHIBIT A

Waterloo Surveyors Inc. SURVEY PLAT

LOT 8
BLOCK 92 (69')

Brick and Steel
Building

J10042.2

Found
P.K. Nail

N 70°23'19" W 92.77' Found P.K. Nail in stone

20' Alley

(23')

70.8'

105.65'
(105.40')

Found
Iron Rod

Red River Street

N 18°54'01" E 131.52'

FIR

S 70°24'58" E 69.61'

S 70°24'58" E 68.99'

15.7'
Metal & Wood Building

wood ramp

concrete walk

Set
Iron Rod

BLOCK 92

N 18°54'01" E

stone patio

Stone Building

Found
Iron Rod

LOT 1

LOT 2

0.1474 ACRE

Waller Creek

North Bank
Waller Creek

CORNER OF BLOCK IS
AT BUILDING CORNER

TWO STORY
BRICK BLDG.

Wood Deck 2nd floor
Conc. Patio 1st floor

Stone Wall

wood stage

N 71°54'10" W 10.00'

S 37°11'02" W 14.67'

12449/815
2,447 sq. ft.

concrete retaining wall

N 71°54'10" W 21.36'

Found
Iron Rod
POINT OF BEGINNING

concrete bridge

East 8th Street

LEGEND
RECORD CALL ()
OVERHEAD ELECTRIC —●—●—●—
FOUND IRON ROD FIR
CHAIN LINK FENCE —s—s—s—s—

LEGAL DESCRIPTION:

0.1474 ACRE OF LAND, MORE OR LESS, BEING ALL OF LOT 2, BLOCK 92, OF THE ORIGINAL CITY OF AUSTIN, IN TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT OF THE ORIGINAL CITY FILED IN THE GENERAL LAND OFFICE OF THE STATE OF TEXAS, SAVE AND EXCEPT 2,447 SQUARE FEET OF LAND, MORE OR LESS, RECORDED IN VOLUME 12449, PAGE 815, OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS.

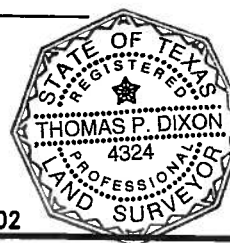
State of Texas:
County of Travis:

The undersigned does hereby certify that this survey was this day made on the ground on the property legally described hereon and is correct, and that there are no discrepancies, conflicts, shortages in area, boundary line conflicts, encroachments, overlapping of improvements except as shown hereon, and that said property has access to and from a dedicated roadway, except as shown hereon.

Dated this the 15TH day of OCTOBER 200 7

And I certify that the property shown hereon IS PARTALLY within a special flood hazard area as identified by the Federal Insurance Adm. Department of HUD Flood hazard boundary map revised as per Map Number: 48453C0195 E

Zone: AE Dated: 06/16/93



Thomas P. Dixon R.P.L.S. 4324

625 Industrial Boulevard, Austin, Texas 78745 Phone 481-9602

SCALE
1"=20'

